



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

Chief Administrative Officer

At its meeting held April 22, 2003, the Board took the following action:

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Supervisor Molina made the following statement:

“Existing California law requires police agencies to maintain complaints, and reports and findings relating to those complaints for five years, but leaves the decision to the local police agencies to determine what happens to these records after five years. Assembly Bill 834 (La Suer) would change State law to require destruction of these records after the five year retention period.

“The County should oppose AB 834 because it will remove the Sheriff’s discretion on retention of records that can be valuable for managerial, training, legal and policy reasons. Tracking the disciplinary history of officers can provide a valuable tool to improve the performance of law enforcement agencies and reduce costly litigation. Furthermore, if adopted, AB 834 may subject law enforcement agencies to constitutional challenges for violation of the Brady Doctrine. State law already provides extensive protections to ensure against the misuse of old complaints.

“The Sheriff and the Office of Independent Review have recommended opposition to AB 834 now scheduled for a hearing before the Assembly Public Safety Committee on April 22, 2003. The Board of Supervisors should support this recommendation.”

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Therefore, on motion of Supervisor Molina, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Molina, Yaroslavsky and Burke; Noes: Supervisors Knabe and Antonovich, the Board took the following actions:

1. Went on record in opposition to AB 834 (La Suer), legislation which would change State law to require police agencies to destroy after a five-year retention period complaints, and reports or findings relating to complaints, as recommended by the Sheriff and Office of Independent Review; and
2. Instructed the County's Legislative Advocates in Sacramento to express the Board's opposition to this bill.

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County Counsel